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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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GEORGE ARTHUR,) 3:11-cv-00804-HDM-WGC
10 Plaintiff,)
11 vs.)
12 DOCTOR MARTIN, *et al.*,)
13 Defendant(s))
14

15 Before the Court is Plaintiff's "Motion for Request of Documents #10..." (Doc. #38) to which
16 Defendants filed their opposition (Doc. #41). No reply was filed by Plaintiff.

17 Plaintiff's motion seeks production of "any and all medical lawsuits against Dr. Martin,
18 Dr. Mar, Dr. Koehn, and Warden R. Baker, from 2007 to 2012." (Doc. #38 at 1.) Although Plaintiff's
19 motion characterizes it as being "relevant to [Plaintiff's] case," Plaintiff does not describe the
20 relevancy these other lawsuits may have upon the instant matter.

21 The Defendants correctly argue Plaintiff's motion to compel is a discovery motion subject to
22 the "meet and confer" requirements of Local Rule 26-7. Although Plaintiff, an inmate, obviously
23 cannot "meet" with defendants' counsel, he can confer to attempt to resolve the discovery dispute.
24 L.R. 26-7 contemplates the parties undertake "personal consultation" to make a "sincere effort" to
25 resolve the subject of the discovery dispute. Plaintiff fails to provide a statement he has done so as is
26 required by L.R. 26-7(b). In that regard, the Court notes Defendants' counsel represents Plaintiff never
27 contacted Defendants' counsel regarding any attempt to resolve the discovery dispute. (Doc. #41 at
28 2, fn. 2.)

1 However, even if Plaintiff's motion were not procedurally deficient, the Court doubts there is
2 any relevance to "lawsuits" which may have been filed against Defendants. (Doc. #41-1 at 3.) The
3 gravamen of Plaintiff's civil rights action was that he was taken off psychiatric medication, was not
4 provided a hernia support belt and was denied hernia surgery. (Screening Order, Doc. #3 at 4.) These
5 allegations were characterized therein as presenting a colorable Eighth Amendment claim. (*Id.*)
6 Plaintiff fails to provide any rationale as to how evidence of other lawsuits will assist will assist
7 Plaintiff in proving he had a serious medical need or that the defendants were deliberately indifferent
8 thereto, which are the standards utilized to evaluate an Eighth Amendment claim. *Farmer v. Brennan*,
9 511 U.S. 825, 834, 837 (1994).

10 Plaintiff's "Motion for Request of Documents #10..." (Doc. #38) is **DENIED**.

11 **IT IS SO ORDERED.**

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13 DATED: September 21, 2012

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WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE